

Cell Phone Radiation Litigation

For three decades, cases have been filed related to brain tumors and cell phones use. Here is a sampling of some cases over the years. At the bottom of this page we have listed several news reports on cell phone radiation litigation.

2017: The Italian Court of Ivrea ruling recognizes causal link between cellphone use and brain tumor. Italian court recognized a causal link in an April 11, 2017 ruling which awarded a Telecom employee, Roberto Romeo, lifetime damages of 500 euros a month after he developed a brain tumor from fifteen years of cellphone use.

- [Original Ruling](#)
- EHT [Press Release](#)
- The Guardian News Article: [“Italian court rules mobile phone use caused brain tumour”](#)
- NY Daily News Article: [“Italian Court Finds Link Between Cell Phone Use and Tumor”](#)
- Courthouse News Service Article: [“Italian Court Finds Link Between Cell Phone Use and Tumor”](#)
- [Cell phones and cancer, court adviser: “Scientific studies Authors work for telephone companies: conflict of interest” by Andrea Tundo \(In Italian and can be translated.\)](#)

Documents in Italian: The Court’s expert report, the defendant’s critics and final reply from the experts: [Consulenza Ivrea Tribunale di Ivrea, Sezione Lavoro: Osservazioni CTU Romeo INAIL](#); [Risposta CTU: Tribunale Ordinario di Ivrea](#)

2012 Italian Supreme Court Ruling: Man’s brain tumor was caused by his cell phone use.

The National Institute for Workmen’s Compensation must compensate a worker with head tumor due to cell use. Innocente Marcolini, a 60-year-old retired businessman argued that the excessive use of his mobile phone for around six hours every day for 12 years caused a benign brain tumor that left his face partially paralyzed.

Reuters News Article – [“Italy court ruling links mobile phone use to tumor”](#)

RT News Article – [“Cancer cells: Italian court rules ‘mobile phones can cause brain tumors’”](#)

Daily Mail News Article – [Mobile phones CAN cause brain tumours, court rules in landmark case.](#)

USA Thirteen Consolidated Brain Cancer (litigation filed in 2001 and current)

“Ashcraft & Gerel LLP ,Morganroth & Morganroth PLLC, Lundy Lundy, and Soileau & South L.L.P. are representing 13 cases alleging cell phone radiation led to brain cancer. There are 46 defendants including Motorola, Nokia, AT&T, Bell Atlantic, Cellular One, Cingular Wireless, SBC Communications, Verizon, Vodafone, the Telecommunications Industry Association, the IEEE, ANSI, the CTIA, and the FCC”.

2016 Consolidated Brain Cancer update: Appeals court decided that a different legal standard for evidence should have been applied.

[2016 Wall Street Journal Article – “Lawsuit Over Cellphones and Cancer Hits a Stumbling Block”](#)

[2016 About Lawsuits Article – “Wireless Phone Brain Cancer Lawsuits Face New Evidentiary Standard”](#)

[2016 MGM Article – “D.C. Court of Appeals Overturns Frye and Adopts Federal Rule of Evidence Rule 702”](#)

[2016 Fox News Video – “Court delays decision in cellphone-cancer link trial”](#)

2014 Consolidated Brain Cancer update: Honorable Judge Frederick H. Weisberg ruled that experts testifying against the wireless industry met the Dyas/Frye legal standards and can offer testimony related to injury causation and health effects from cell phone radiation. (The court held evidentiary hearings in December 2013 and January 2014 and reviewed hundreds of exhibits.)

[2014 -Plaintiff attorney’s press release.](#)

[2014 – District Court of Appeals Petition by Motorola](#)

[2014 – Court’s opinion.](#)

[2014 – Press release.](#)

[2015 Wall Street Journal Article – “Case on Health Risk From Cellphones Is Back in Court”](#)

[2015 Washington Post Article – “D.C. court considers how to screen out ‘bad science’ in local trials”](#)

2005 News Article: [“Lawsuits could have broad ramifications for the industry”](#)

2008 Farina v. Nokia Inc.

Plaintiff brought a putative class action against cell phone manufacturers asserting breach of warranty arising from alleged conspiracy to suppress knowledge of adverse effects from RF emissions. The Third Circuit dismissed the case after holding that “[a] jury determination that cell phones in compliance with the FCC’s ... guidelines were still unreasonably dangerous would, in essence, permit a jury to second guess the FCC.”

[2012 Lexology News Article – “The status of cell phone as carcinogens litigations”](#)

[2011 Reply Brief for the Petitioner](#)

[2010 Opinion of the Court United States Court of Appeals,Third Circuit](#)

[2010 Lexology News Article – “Third Circuit rules cell phone radio wave litigation preempted by federal law”](#)

[Amicus curiae brief in the Supreme Court in support of the petition for a writ of certiorari in Farina v. Nokia.](#)

[U.S. Supreme Court Declines to Consider Cell-Phone Emissions Preemption Case, Bloomberg News 10/3/2011](#)

[Federal Judge Dismisses Suit Alleging Cancer Risk From Cell Phone Use, The Legal Intelligencer, September 5, 2008](#)

2009 Murray v. Motorola (982 A. 2d 764)

Motorola employee with brain cancer filed in Superior Court of the District of Columbia. He was diagnosed with a brain tumor behind the ear he used to test phones as a communications technician for Motorola. Michael Murray, got his first cell phone, an early Motorola flip phone model, at age 23. In November 1999, Michael Murray was diagnosed with brain cancer and died April 20, 2003, at age 35.

[This case was consolidated into the 13 cases now moving forward.](#)

D.C. Court of Appeals ruled that the telecommunications companies could not be sued over brain tumors caused by cell phones manufactured after 1996. For plaintiffs that had used pre-1996 phones, their lawsuits were allowed to go forward.

2000 Newman v. Motorola, Inc.

[Newman v. Motorola, Inc.](#)

This was a products liability claim by Dr. Christopher Newman, neurologist, who claimed that he developed a brain tumor from using an analog cell phone for a number of years in his medical practice. He claimed that defendants failed to warn him that the phones were dangerous and defective. On September 30, 2002, the United States District Court for the District of Maryland decided Newman v. Motorola, Inc with a summary judgment sustained in favor of defendants – due to lack of scientific evidence to support causation. [125 F. Supp. 2d 717 \(D. Md. 2000\) U.S. District Court for the District of Maryland – 125 F. Supp. 2d 717 \(D. Md. 2000\) December 21, 2000](#)

1997 Motorola v. Ward

Richard Ward brought a product liability action against Motorola and Cartunes alleging regular cell phone use caused a malignant brain tumor on the right side of his brain. The Court determined that, “When the plaintiff’s evidence merely asserts that the defendant’s conduct caused the plaintiff’s injury, but fails to explain how, the defendant is entitled to summary judgment”. [1997 Motorola v. Ward](#)

1997 Busse v. Motorola, Inc. et al.

Originally, the Illinois lawsuit -Jerald P. Busse vs. Motorola Inc.-alleged illegal privacy invasion and an industry cover-up of mobile-phone risks. The industry cover-up count was removed, It was dismissed upon mutual consent of opposing counsel in 2003.

“The 1995 class-action lawsuit, which was certified last year, claims privacy rights were violated when billing records of mobile-phone subscribers were examined without their knowledge as part of an epidemiology study conducted by EPI. Initially, plaintiffs in Busse et al. vs. Motorola Inc. also accused the industry of orchestrating a cover-up of health risks from mobile phones.”

[Industry opposes settlement in health-related privacy suit](#), RCR Wireless News , June 25, 2001

[WTR settles cancer suit: Accord earmarks \\$250,000 for Carlo-headed registry](#), RCR Wireless News, June 4 2001

[Health-related privacy suit pending in Cook County this week](#), RCR Wireless News, July 2001

1996 Wright v. Southwestern Bell Mobile Systems

Filed in 1996 by an employee of mobile phone carrier who developed brain tumor. Her job gave her unlimited cell phone minutes. This was settled as a confidential employer-employee resolution.

1996 Verb v. Motorola

[No. 1-93-3248. Appellate Court of Illinois, First District, Second Division. March 29, 1996.](#)

Class action suit against Motorola and other cell phone companies alleging a lack of warning regarding harmful physical effects of cell phones.

1994 Kane v. Motorola Inc.

Robert Kane, a Motorola, Inc. engineer in Scottsdale, Arizona sued his employer in Cook County Court, Chicago, alleging that his brain cancer was caused by experiments in which he tested Motorola cellular-phone antennas. The case was settled as a confidential employer employee resolution.

2001 Read Robert Kane's Book "Cellular Telephone Russian Roulette"

1992 Reynard v. NEC Corporation – First Cell Phone Cancer Case

This was the first cell phone cancer case first filed in 1992. David Reynard filed a tort claim against the cellphone manufacturer NEC and the carrier GTE Mobilnet, claiming that radiation from their phones caused or accelerated his wife's brain tumor. This case was notably decided in 1995 before the FCC had begun to regulate RF emissions from cell phones. Publicity about the Reynard case likely caused the Cellular Telecommunications Industry Association (CTIA) to pledge \$25 million for research in the 90's.

[1999 Democracy Now Radio Interview – "Cell Phones: Are They Harmful to Your Health?"](#)

[Justia US Law Summary Order May 17, 1995 Court Decision](#)

[1993 Chicago Tribune News Article – "Motorola Researcher Blames Cellular Tests For Brain Tumor, Sues"](#)

[1993 UPI News Article – "Lawsuit claims cellular phones cause cancer"](#)

[News Footage of David Reynard from 1990's](#)

Legal Publications on Cell Phone Cancer Lawsuits

[Rotondo, James H. and Kaitlin A. Canty. "Cell Phone Usage And Brain Tumors: Recent Developments." Day Pitney LLP, 2013.](#)

[Carlo, George. "Illusion and Escape: The Cell Phone Disease Quagmire." The World Foundation for Natural Science, 2008.](#)

[Capriotti, Suzanne. "Is There a Future for Cell Phone Litigation?" Journal of Contemporary Health Law & Policy, vol. 18, no. 2, 2002.](#)

[Grasso, Laura. "Cellular Telephones and the Potential Hazards of RF Radiation: Responses to the Fear and Controversy." Virginia Journal of Law and Technology, vol. 3, no. 2, 1998, pp. 1522-1687.](#)